

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JEREMAIN TAYLOR,)
)
Defendant.)

8:03CR503

ORDER

Defendant Jeremain Taylor (Taylor) appeared before the court on August 9, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 89). Taylor was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney John E. Higgins. Through his counsel, Taylor waived a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). The court finds there is probable cause to believe the violations have occurred and Taylor should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government requested Taylor be detained pending his dispositional hearing. The court heard the testimony of Senior Probation Officer Harriette D. Washington and received a report from the Dismas House (Exhibit 1). Through counsel, Taylor, requested to be released on conditions. It is Taylor's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community. I find he has failed to do so. In light of Taylor's previous criminal record, Taylor's prior supervised release violations, Taylor's aversion to being supervised by anyone, and Taylor's controlled substance abuse, the court finds Taylor to be both a flight risk and a danger to the community. Taylor should be detained pending a dispositional hearing before Senior Judge Lyle E. Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:30 p.m. on September 6, 2012**. Defendant must be present in person.
2. Defendant Jeremain Taylor is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of August, 2012.

BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge